

1646

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Application Number

09/625,573

Filing Date

July 25, 2000

First Named Inventor

Charo, Israel R.

Art Unit

1646

Examiner Name

Christopher J. Nichols

APR 22 2003

TECH CENTER 1600

Attorney Docket Number

02307K-085040US

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual

Townsend and Townsend and Crew LLP

William Schmonsees

Reg. No. 31,796

Signature



Date

April 14, 2003

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TOWNSEND and TOWNSEND and CREW LLP

By: Kristi Cope

**PATENT** JM  
Attorney Docket No.: 02307K-085040US  
Client Ref. No.: 93-239-2

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Israel F. Charo

Application No.: 09/625,573

Filed: July 25, 2000

For: MAMMALIAN MONOCYTE  
CHEMOATTRACTANT PROTEIN  
RECEPTORS

Examiner: Christopher J. Nichols

Art Unit: 1646

AMENDMENT

Assistant Commissioner for Patents  
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Sir:

Responsive to the Office action mailed March 13, 2003, Applicants hereby submit the following election without traverse.

### THE REQUIREMENT:

Claims 2-19 are pending. The Action restricts the invention into four groups as follows:

- I. Claims 2-19 (each in part), drawn to a method of making an antibody which specifically binds MCP-1 receptor polypeptide wherein the polypeptide is SEQ ID NO: 2, classified in class 424, subclass 130.1, for example.
- II. Claims 2-19 (each in part), drawn to a method of making an antibody which specifically binds MCP-1 receptor polypeptide wherein the polypeptide is SEQ ID NO: 4, classified in class 424, subclass 130.1, for example.

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III. Claims 2-4 and 9-19 (each in part), drawn to a method of making an antibody which specifically binds MCP-1 receptor polypeptide wherein the polypeptide is a polypeptide encoded by an isolated nucleic acid comprising residues 40 through 1161 of the DNA sequence of SEQ ID NO: 1, classified in class 424, subclass 130.1, for example.

IV. Claims 2-4 and 9-19 (each in part), drawn to a method of making an antibody which specifically binds MCP-1 receptor polypeptide wherein the polypeptide is a polypeptide encoded by an isolated nucleic acid comprising residues 81 through 1160 of the DNA sequence of SEQ ID NO: 3, classified in class 424, subclass 130.1, for example.

Applicants elect to prosecute the invention of Group II, Claims 2-19 (each in part), drawn to a method of making an antibody which specifically binds MCP-1 receptor polypeptide wherein the polypeptide is SEQ ID NO: 4. Applicants also point out that claims 2-12, 18 and 19 are directed to antibodies *per se*, claims 13-15 to cell lines, and claim 17 to a composition; only claim 16 is drawn to a method of making antibodies. Applicants presume that the restriction applies to all claims, not to just the method of making claim.

This election is made with traverse. Applicants request reconsideration and redefinition of the restriction requirement on the grounds that the antibodies of Groups II and IV are the same, as are the antibodies of Groups I and III. The nucleic acids recited in Groups III and IV encode the polypeptides of Groups I and II, respectively. Applicants request that Groups I and III be combined into one group and Groups II and IV into another.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



William Schmonsees  
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